

REMARKS

Amendments

Claims 27, 28, and 30 are amended to delete AIDS, degenerative diseases of the peripheral and central nervous system, intoxication with calcitriol or its analogues, and/or Alzheimer's disease. Claims 27, 29, and 35-42 are amended to correct obvious typographical errors.

Allowable Subject Matter

Applicants gratefully acknowledge that the claims 11-26, 33 and 34 are allowed.

Rejection under 35 USC §112, first paragraph

Claims 27-42 are rejected under 35 USC §112, first paragraph, on grounds of lack of enablement. This rejection is again respectfully traversed for the reasons already of record.

In the rejection, the Examiner asserts that the claims "still contain enablement issues," and the Examiner specifically refers to AIDS, degenerative diseases of the peripheral and central nervous system, intoxication with calcitriol or its analogues, and Alzheimer's disease as recited in claims 27 and 30. See page 3, lines 6-9 and 20 of the Office Action. See also the last line at page 5, page 6, lines 1-2, and page 7, lines 5-9 of the Office Action.


However, the Office Action does not explain why claims that do not recite such diseases are included in the rejection. See claims 29 and 35-42. No rationale is presented in the rejection as to why these claims are rejected under 35 USC §112, first paragraph. For example, the rejection acknowledge that the art recognizes the use of vitamin D compounds to treat osteoporosis and as anti-tumor agents. Claims 36 and 41 recite the treatment of such conditions, yet these claims are rejected.

In any event, in an effort to further prosecution, claims 27, 28, and 30 are amended to delete the recitations of AIDS, degenerative diseases of the peripheral and central nervous system, intoxication with calcitriol or its analogues, and Alzheimer's disease.

Withdrawal of the rejection is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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